

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

SHANNON PEREZ et al.,

Plaintiffs,

MEXICAN AMERICAN LEGISLATIVE
CAUCUS, TEXAS HOUSE OF
REPRESENTATIVES, (MALC),

Plaintiff,

TEXAS LATINO REDISTRICTING
TASK FORCE, *et al.*,

Plaintiffs,

V.

STATE OF TEXAS, *et al.*,

Defendants.

CIVIL ACTION NO.
5:11-CV-0360-OLG-JES-XR
(Consolidated)

**LEAGUE OF UNTIED LATIN AMERICAN CITIZENS
AGREED PLAINTIFF'S MOTION TO CONFIRM SINGLE
PRIMARY FOR 2012 ELECTIONS**

TO THE HONORABLE THREE JUDGE COURT:

Comes now the League of United Latin American Citizens (hereinafter LULAC), with the agreement of all plaintiffs in this cause and submits it's Motion To Confirm a Single Primary for the 2012 elections. In support thereof would show the following;

1. Defendant, the State of Texas has noticed all Plaintiffs of its intention to file its Motion for this court to Order a separate primary for Congressional, State Senate and State House of Representative districts.

2. The Plaintiffs and Plaintiff-Intervenors believe this will lead to voter fatigue and overly burdensome for the taxpayers for the following reasons.
3. The cost to the taxpayers across the State is overly burdensome. It would be devastating to not only the State budget but even worse for the Counties.
4. The Counties are currently required to mail out all new voter registration cards to all voters by January 13, 2012 in order to meet the deadlines for early voting. Military ballots must be mailed by January 21, 2012. The cost to Bexar County alone is approximately \$300,000.00. Multiply that times each county in the State to whatever the individual costs to each County and we are talking about millions of dollars.
5. The current March 6, 2012 primary requires the following events and associated cost.
 - a. 12 days of early voting. The Counties pay 100% of this cost.
 - b. Primary Election Day. The State pays 100% of this cost.
 - c. 5 days of runoff early voting. The Counties pay 100% of this cost.
 - d. Runoff Election Day. The State pays 100% of this cost.
6. **IMPORTANT ISSUE:** *The State and Counties had set their budgets to comply with the state law requirements of one state wide primary date.*
7. Should the Court Order that two primaries should be held, the entire process above has to be repeated including the cost of new voter registration cards should the lines / precincts have to be redrawn, plus the additional cost of redrawing the precincts lines where necessary.

(a) The court is well aware of the hundreds of precinct cuts in the State plans and the precinct cuts in the courts plans. An additional amended court order, if any, could require yet again hundreds of changes with cost bore by the Counties.

8. Together with this, the County elections administrators also have the upcoming May 12, 2011 elections for all local elections including towns, cities, school board and other jurisdiction elections. This requires the following of City, school district and other boundary lines together with the adjustment of precinct lines where necessary.
9. Voter fatigue is an important factor for the courts consideration. Two primaries will cause there to be at least six (6) elections from the first primary to the November general election.

CONCLUSION

It is neither practical nor cost effective to place this burden on the taxpayers and the local county governments. Where is the money to come from? The budget crises have already forced dramatic cuts for education, health care, transportation, mental health and services all over the State. Voter fatigue has been a source of debate for years in many jurisdictions. This Court should choose the most expeditious, less restrictive and cost effective date and confirm only one primary election will be held. The right to vote belongs to the people and taxpayers not the politicians, candidates or political parties.

DATED: December 11th 2011

Respectfully Submitted,

Luis Roberto Vera, Jr.
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/s/ Luis Roberto Vera, Jr.
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Attorneys for the Plaintiff-Intervener
LULAC

CERTIFICATE OF CONFERENCE

This certifies that a conference was held between plaintiffs and interveners and all agreed to the filing of this Motion. A call was placed to defendant the State of Texas by telephone call to assistant attorney general Mathew Frederick and also requested to him by email. Mr. Frederick responded by email and stated he was not authorized to make an agreement. However, given the Notice by the State for filing its Motion for a separate primary it is anticipated that the State will oppose this Motion.

/s/
Luis Roberto Vera, Jr.

CERTIFICATE OF SERVICE

This certifies that a copy of this Motion has been delivered to all parties in this cause by either the ECF system by which all parties receive service and or by electronic mail delivered this December 11, 2011.

/s/
Luis Roberto Vera, Jr.